

1 SEDGWICK, DETERT, MORAN & ARNOLD LLP
2 GREGORY C. READ (Bar No. 49713)
3 STEVEN D. WASSERMAN (Bar No. 88291)
4 MICHAEL L. FOX (Bar No. 173355)
5 One Market Plaza,
Steuart Tower, 8th Floor
6 San Francisco, California 94105
Telephone: (415) 781-7900
5 Facsimile: (415) 781-2635

6 Attorneys for Defendant
CATERPILLAR INC.

7
8 BRAYTON ♦ PURCELL LLP
CLAYTON W. KENT (Bar No. 123164)
9 222 Rush Landing Road
P.O. Box 6169
10 Novato, California 94948-6169
Telephone: (415) 898-1555

11 Attorneys for Plaintiffs
12 RALPH H. MCKEE, JR. and KRISTINE MCKEE

13
14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16

17 RALPH H. MCKEE, JR. AND KRISTINE
MCKEE,

CASE NO. C-07-3900-EDL

18 Plaintiffs,

19 v.

20 CATERPILLAR INC.; and DOES 1-100,
21 inclusive,

JOINT STIPULATION OF DISMISSAL OF
PLAINTIFFS' FOURTH CAUSE OF
ACTION FOR LOSS OF CONSORTIUM

22 Defendants.

23
24 IT IS HEREBY STIPULATED by and between the parties to the above-captioned action
25 plaintiffs RALPH H. MCKEE, JR. and KRISTINE MCKEE and defendant CATERPILLAR
26 INC. through their designated counsel of record that plaintiffs RALPH H. MCKEE, JR. and
27 KRISTINE MCKEE dismiss the Fourth Cause of Action for Loss of Consortium in their
28

1 Complaint with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), each side
2 to bear its own costs and attorney's fees.

3

4 Dated: June 12, 2008

SEDGWICK, DETERT, MORAN & ARNOLD LLP

5

6

By: /s/ Steven D. Wasserman

7 Steven D. Wasserman
Michael L. Fox
8 Attorneys for Defendant
CATERPILLAR INC.

9

10 Dated: June 12, 2008

BRAYTON ♦ PURCELL LLP

11

12

By:


13 Clayton W. Kent
14 Attorneys for Plaintiffs
15 RALPH H. MCKEE and KRISTINE MCKEE

16

17

18

19

20

21

22

23

24

25

26

27

28